

# Order

Michigan Supreme Court  
Lansing, Michigan

November 5, 2021

Bridget M. McCormack,  
Chief Justice

162601

TECHNICAL PROFESSIONAL AND  
OFFICEWORKERS ASSOCIATION OF  
MICHIGAN,

Respondent-Appellant,

v

DANIEL LEE RENNER,  
Charging Party-Appellee.

SC: 162601  
COA: 351991  
MERC: 00-00034

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

On order of the Court, the application for leave to appeal the January 7, 2021 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing whether: (1) the Court of Appeals erred in affirming the decision of the Michigan Employment Relations Commission that the appellant violated MCL 423.210(2)(a) by offering grievance representation to union members as a benefit of union membership and to nonunion members through a pay-for-services procedure; (2) the Court of Appeals erred in determining that MCL 423.211 did not provide a viable method for the appellee to pursue grievances with the employer directly; and (3) the record supports the Court of Appeals' conclusion that the appellee properly exercised his right to a direct grievance. The appellant's brief shall be filed by February 28, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.


The State Bar of Michigan Public Corporation Law Section, State Bar of Michigan Labor Law Section, the American Federation of State, County, and Municipal Employees, the Michigan Education Association, and the Mackinac Center for Public Policy are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 5, 2021

  
Clerk